

LAW OFFICES OF
MURRAY RICHMAN
and Associates

2027 Williamsbridge Rd., Bronx, NY 10461
Tel (718) 892-8588 | Fax (718) 518-0674
mrichman_mr@outlook.com

April 25, 2024

VIA ECF

Honorable Cathy Seibel
The Hon. Charles L. Brieant Jr.
Federal Building and United States Courthouse
300 Quarropas Street
White Plains, New York 10601

RE: USA v. Joseph DiNapoli
Case Numner: 7:17-CR-00089 (CS)

Dear Judge Seibel,

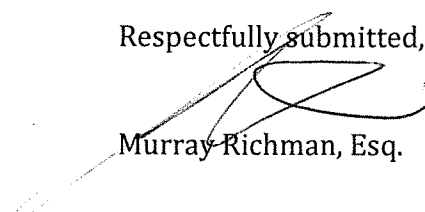
As you may recall, I am the attorney of record for Joseph DiNapoli. Mr. DiNapoli has completed his sentence of incarceration and is presently on post release supervision, for approximately a year and a half. On July 20th, Mr. DiNapoli will be 89 years of age, suffering from numerous ailments, including severe hearing impairment as well as heart conditions and arterial difficulties. Sadly his wife, Loretta, of over 60 years, is suffering from aggressive dementia. He and his wife are badly affected by the cold weather and this past winter proved to be extremely challenging for them. He has been on supervision and has complied with all the rules and regulations thereof. As part of his conditions of supervised release, his movements are restricted to Bronx County and environs.

Mr. DiNapoli's brother has an apartment in Florida, close to Boca Raton. I respectfully request that he be permitted to have access to that facility, for the sake of his and Loretta's well being. The probation officer has been most cooperative in the past, and has allowed Mr. DiNapoli to be there for 45 days last year. I am making this early request so there will be no confusion later.

Frankly, I perceive Mr. DiNapoli is not a threat to society at this juncture in his life. Your Honor is fully familiar with his serious medical conditions (please reference previous submissions regarding Mr. DiNapoli's health) and I would most respectfully request the possibility of an early termination of his supervised release. As you know, I have known Mr. DiNapoli approximately 55 years. I have represented him and have always found him to be straightforward. At this point in his life, his age and physical ailments have sorely diminished his capacity for everyday living. I would urge your consideration. Thank you.

LAW OFFICES OF
MURRAY RICHMAN

Respectfully submitted,


Murray Richman, Esq.

CC: AUSA Scott Hartman via ECF
AUSA Hagan Scotten via ECF
AUSA Jacqueline Kelly via ECF

Application denied. I am informed by Probation that Mr. DiNapoli still owes almost \$160,000 of his \$250,000 fine, which I do not understand, given the assets reported in the PSR. Indeed, were Mr. DiNapoli at the end of his term of supervised release, that might be a reason to extend it.

Mr. DiNapoli's Probation Officer may approve travel to Florida if appropriate, but in considering any such request(s) I hope Probation will keep in mind that Mr. DiNapoli has a large outstanding financial obligation to fulfill.

Finally, it is hard to imagine how Mr. Richman was under the impression that Probation permitted Mr. DiNapoli to be in Florida "for 45 days last year," when Probation did not do so. I hope it was not because Mr. DiNapoli spent time in Florida without permission. Probation is directed to take steps, whether by increased reporting or otherwise, to ensure that Mr. DiNapoli is where he is supposed to be.

The Clerk shall terminate ECF No. 1299.

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

4/30/24